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Office of Legislative Counsel
Friday - 10 December 1971

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25X1 5. [] Met with Mr. Art Kuhl, Chief Clerk,
Senator Foreign Relations Committee, who told me that the itinerary for
Senator and Mrs. Symington's around-the-world trip is very much up in the
25X1 air. He does not know whether Cambodia or South Vietnam will be included
or whether the Senator will proceed from Bangkok to New Dehli. I told
25X1 him that we could make arrangements for briefing on Cambodia and Vietnam
[] if it would be of help.

25X1 6. [] In response to her call, I talked to
Judith Spahr, Senate Subcommittee on National Security and International
Operations staff, concerning a document in French needed for Tuesday
and suggested that, if possible, the document be given to the Library of
Congress for translation. I explained to Miss Spahr that we have been
pleased to assist Senator Jackson, Chairman of the Subcommittee, on
translations for his use but that it is difficult for us to provide routine translation
service for their office. Miss Spahr thanked me for the call and said she
would request the Library's assistance.

25X1 7. [] Met with Mr. Roger Lewis, Administrative
Assistant to Representative Morris Udall (D., Ariz.), and returned a personal
25X1 letter from the Representative that had been misaddressed to the Agency's
Personnel Post Office box. Mr. Lewis was most appreciative.

25X1 8. [] Met briefly with Messrs. Jim Lowenstein
and Richard Moose, Senate Foreign Relations Committee staff, who told
me that their travel plans for the forthcoming trip to the Far East do not
include Cambodia or Vietnam at this time. They will depart Washington on
6 January through Europe arriving in Bangkok on 10 or 11 January. They
will be in Bangkok three weeks returning through Honolulu on 30 or 31 January.
Any travel to Cambodia or Vietnam would be subject to later direction from
Washington.

25X1 9. [] Met with Mr. John Martiny, Chief
Counsel, House Post Office and Civil Service Committee, who told me that
meetings of the full Committee have been cancelled for the remainder of the
year. He told me that as near as he knew the Ervin bill, S. 1438, had not
yet been assigned to the Committee from the Speaker's office and noted that
all previous bills in this area during this session of Congress have been
routinely assigned to the Post Office Committee.

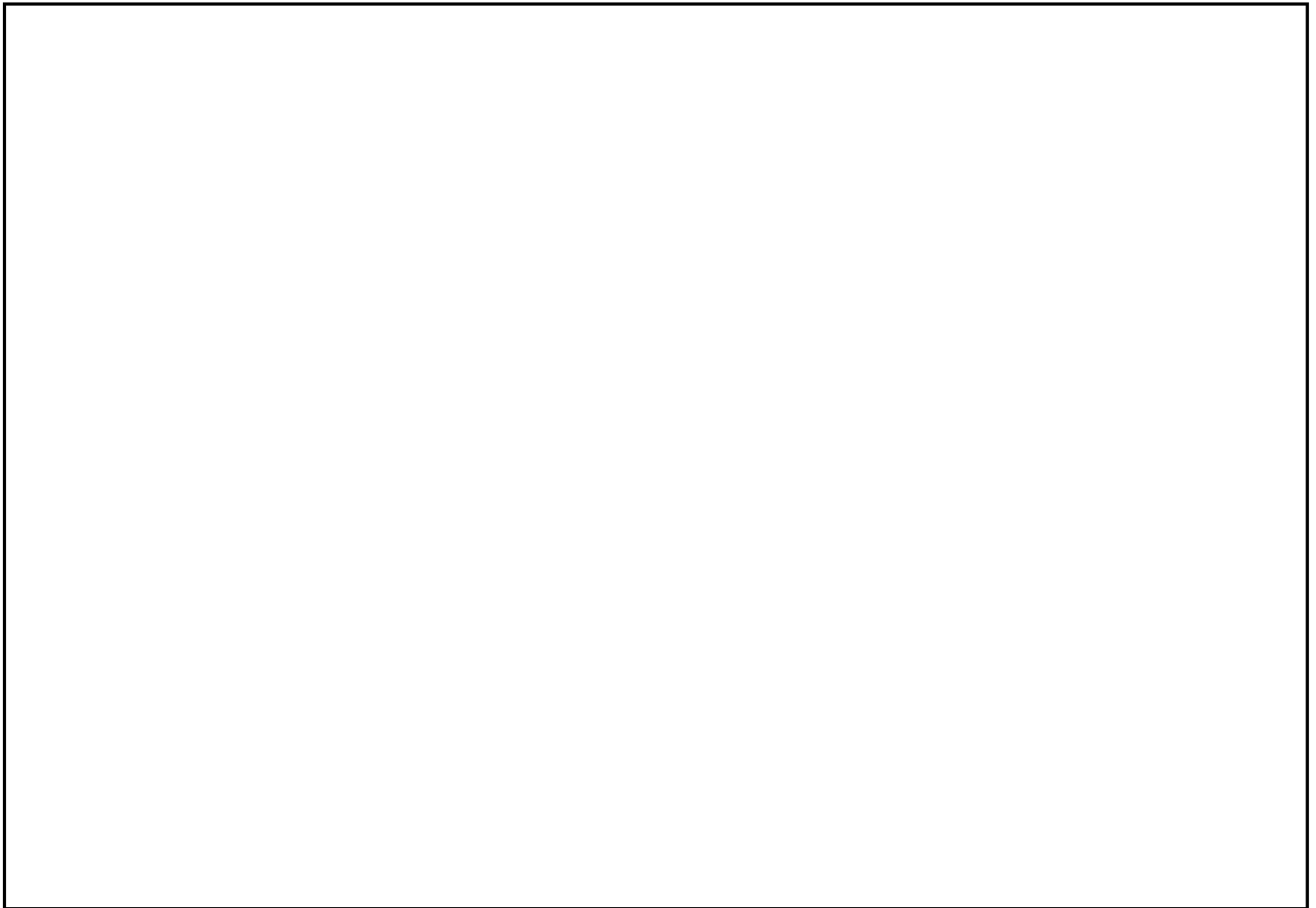
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25X1



25X1

12. [REDACTED] Met with Mr. Richard Barton, Staff Assistant, House Post Office and Civil Service Committee, who told me that although the full Committee is scheduled to meet on 16 December, the meeting may well be cancelled in the interim due to a lack of quorum. He told me that the letter from Chairman Hebert concerning H. R. 11150 has been duplicated and will be placed at each Member's position the morning of the hearing. I thanked him for his consideration.

25X1

13. [REDACTED] Met with Al Westphal, Staff Consultant, House Foreign Affairs Committee, who told me that the conferees are stalemated on the foreign aid bill due to Senator Mansfield's (D., Mont.) position concerning the end-the-war amendment. He also told me that the House had appointed conferees on S. 18, the Radios bill, but that he saw no hope at this time of the conferees meeting on S. 18 prior to conclusion of the conference on the foreign aid bill.

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25X1

4. [] Accompanied Colonel White in meeting with Chairman F. Edward Hebert and Assistant Chief Counsel Frank Slatinshek House Armed Services Committee, and Mr. Don R. Brazier, Principal Deputy Assistant Secretary of Defense (Comptroller), in a discussion of the handling of the Agency budget. See Memo for Record.

25X1

5. [] Lunched with Ed Braswell, Chief Counsel, Senate Armed Services Committee, and discussed handling of Agency budget and related matters.

25X1

6. [] During a chance encounter, Senator Stuart Symington gave me a message to pass to the Director. See Memo for the Record.

25X1

7. [] Accompanied Colonel White who briefed Senator Milton Young on plans for handling the Agency FY 73 budget. See Memo for Record.

25X1

8. [] Met with Hastings Wyman and Henry Herlong, in the office of Senator Strom Thurmond, and discussed our problems with the Ervin bill (S. 1438) which had just been ordered reported by the Judiciary Committee. I left with them documentary material spelling out our particular problems with the present version of the bill and our need for a complete exemption.

Later, Mr. Herlong called me to say he had discussed the matter with Senator Thurmond who felt he could not persuade Senator Ervin to accept a complete exemption for the Agency but would like our proposal for certain limited exemptions. I said we appreciated the Senator's interest but in fact we had worked diligently with Ervin's staff to find mutually acceptable limited exemptions without success. I said I was afraid nothing less than a complete exemption would serve our purposes, and if this was not feasible I didn't think we should bother Thurmond by getting into a hassle with Ervin which would produce no useful results. I therefore suggested our best solution would be to shoot for an exemption in the House/Senate conference, since I thought we would get considerable support in the House side. Herlong agreed with this judgment.

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JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Friday - 3 December 1971

25X1

1. [] Talked to Chairman James Eastland, Senate Judiciary Committee, and explained that we were much concerned over hearing that the Committee, in executive session, had ordered the reporting out of the Ervin bill (S. 1438), which caused us serious problems. I showed the Senator a letter to Senator Ervin from the Director, dated 21 May 1971, reiterating our request for a complete exemption. Senator Eastland replied that it was his impression that Senator Ervin had indicated to the Committee that the present bill was acceptable to all of the Federal agencies concerned. However, he called for a transcript of the full Committee discussion of the bill and on examination it appeared that Senator Ervin had not made this statement. Senator Eastland said the best thing we could do would be to try to get Senator Strom Thurmond, who had seconded the motion to report out the bill, to put a "hold" on it. Senator Eastland explained that this would ensure that the bill would not be reported out during this session and give us time to "lobby" among members of the Committee in an effort to get the Committee to report out an amendment.

In response to my inquiry, Senator Eastland said it would be worth touching base with the following Committee members: Senators Burdick, Byrd, McClellan, Hruska, Scott, Fong, Cook and possibly Mathias.

I showed Senator Eastland a copy of the Director's letter to Senator Ervin and the Senator commented "of course you must have an exemption." I asked him if there was anything else he could do for us or suggest that we do. He said the only things he could recommend were that we take the matter up with Senator Thurmond and talk to several Committee members whom we thought would be sympathetic.

25X1

2. [] In connection with the above, I went to Senator Strom Thurmond's office and, in his absence, talked to his Administrative Assistant Dan Carrison who introduced me to one of the Senator's staff members concerned with legislative matters, Henry Herlong. I explained our problem to Herlong and left with him a copy of the Director's letter to Senator Ervin of 21 May 1971 repeating our request for a complete exemption. Herlong said he did not know what the Senator's reaction would be but he would raise the matter with him at the earliest opportunity. I said I would be back in touch with him the first of the week. Herlong said the Senator's staff assistant most familiar with the problem would be Mr. Hastings Wyman, who was out of town but would be in the office Monday and he would mention the matter to Wyman.

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25X1

3. [] Discussed our problem with the Ervin bill (S. 1438) with Mr. Darrel St. Claire, Chief Clerk, Office of the Secretary of the Senate, who advised strongly against our trying to get the matter raised on the floor if we were unsuccessful in Committee. He said Senator Thurmond could probably get the matter reconsidered in the Judiciary Committee if he wished but warned that it would be hard to get anyone else to challenge Senator Ervin head-on in a matter in which Ervin is so deeply committed.

25X1

4. [] Discussed the above problem with Ed Braswell, Chief Counsel, Senate Armed Services Committee, who said that probably Senator Stennis would be willing to call Senator Ervin in our behalf if pressed, but the Senator was so preoccupied with a number of urgent matters that he hoped we wouldn't call on him unless we thought it essential.

25X1

5. [] Intercepted Senator Strom Thurmond on his way from his office to the floor and had a hurried conversation with him about the Ervin bill. He said we should put our case in writing and give it to Mr. Wyman of his staff the first of the week.

25X1

6. [] Talked to Mr. Victor Smiroldo, Counsel, House Post Office and Civil Service Committee, and told him that the Senate Committee on the Judiciary has ordered S. 1438, the Ervin bill, reported. The bill hasn't been reported to the Senate as yet. I told him we had been in contact with the Committee staff and with the Chairman and other members of the Committee. We have been successful, we believe, in having the language in the Committee report deleted which stated, in effect, that the Committee amendments met with the approval of this Agency. This results from the fact that our Director's letter of 21 May 1971 may not have been considered when the bill came up before the Committee for consideration last month. It is Mr. Smiroldo's opinion that we are lucky if we have achieved an amendment to the report which would be favorable to our position. He said that in his years in dealing with these people, he has found them most difficult. He does not feel that we need go any farther with the Senate Committee unless we have other problems. He will bring Mr. Martiny, Chief Counsel of the Committee, up-to-date when he returns to the city on Monday.

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25X1

11. [] In response to his request, I left with James T. Kendall, Chief Counsel, Senate Subcommittee on Preparedness Investigating, Armed Services Committee, unclassified material on the intelligence community, especially the United States Intelligence Board. On the basis of a quick look at the papers, Kendall said this was exactly what he wanted and thanked us for a prompt response.

25X1

12. [] Advised James Gehrig, Staff Director, Senate Aeronautical and Space Sciences Committee, that the compartmented clearances for Charles Lombard were ready and we could brief Lombard and the rest of the Committee staff at Gehrig's convenience on the status of Soviet space programs. Gehrig advised me that the staffing situation with Senator Curtis as Ranking Minority member has changed somewhat from what it has been in the past, and he asked that I get back in touch with him in the near future before finalizing Lombard's clearance and signing him up.

25X1

13. [] Advised Jack Ticer, Senate Armed Services Committee staff, on our input to the State Department in their preparation of a coordinated Executive Branch comment to the Foreign Relations Committee on S. Res. 192. Ticer thought the points we had raised were good ones and added that there was no real pressure on this resolution in the Armed Services Committee at this time. (S. Res. 192 has been referred jointly to both the Foreign Relations and Armed Services Committees.)

I advised Ticer of the latest developments with respect to the Ervin bill (S. 1438) and of our contact with Senator Eastland and our plans to see Senator Thurmond. 25X1

cc:

ER O/DDCI []

JOHN M. MAURY
Legislative Counsel

[] Mr. Houston Mr. Thuermer

Mr. Colby DDI DDS DDS&T EA/DDP OPPB

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25X1

6. [] The status of S 1438, the Ervin Bill, was discussed with Miss Marcia MacNaughton, Staff Member of Subcommittee on Constitutional Rights of the Senate Judiciary Committee. Miss MacNaughton stated that the bill had been voted on favorably without amendment in executive session by the Judiciary Committee but has not been reported out as the Committee report is still in draft. She stated the report would be the same as the report submitted to S 782, an identical bill, which was passed by the Senate in the previous Congress. I asked if the Director's letter of 21 May 1971 to Senator Ervin requesting a full exemption to S 1438 would be noted in the report since the report to S 782 contained a statement that the DCI accepted S 782 with the specific exemptions granted. Miss MacNaughton stated that the statement would be deleted; however, the Director's letter of 21 May would not specifically be mentioned. She expected the bill would be reported out within a few days and calendared for Senate vote. Miss MacNaughton was aware of the Agency's exemption and the President's broad authority to grant other exemptions in the House version. She felt the differences in House and Senate bills would be taken care of in conference. Mr. Richard Barton, Staff Assistant of Subcommittee on Employee Benefits, House Committee on Post Office and Civil Service, was subsequently called, and he was aware of the status of S 1438. He felt that Senator Ervin will probably seek an early Senate vote and the bill will pass. The Hanley Bill (the House version of the Ervin Bill) will not be considered by the House Post Office and Civil Service Committee until the early part of the next session.

25X1

7. [] Returned the transcript of the testimony of the Secretary of Defense before the House Committee on Armed Services on Tuesday, 16 November, concerning H. R. 8856, a bill to provide an additional Assistant Secretary of Defense, to Miss Kalinowski, of the Committee staff.

25X1

8. [] Met briefly with Mr. Al Westphal, House Foreign Affairs Committee staff, who told me that as of noon today he does not foresee any immediate action on S. 18, the Radios bill. At the earliest, 25X1 he does not see any consideration for meeting of the conferees until after the completion of the conference meetings on the Foreign Aid bill. []

25X1

[] CA Staff, has been advised.

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